1 2 3 4	QUINN EMANUEL URQUHART & SULLIVAN, LI Stephen A. Swedlow (admitted <i>pro hac vice</i>) stephenswedlow@quinnemanuel.com 191 N. Wacker Drive, Suite 2700 Chicago, IL 60606 (312) 705-7400	Yavar Bathaee (Bar No. 282388) yavar@bathaeedunne.com 445 Park Avenue, 9th Floor New York, NY 10022 (332) 322-8835
5 6 7 8 9 110 111	HAGENS BERMAN SOBOL SHAPIRO LLP Shana E. Scarlett (Bar No. 217895) shanas@hbsslaw.com 715 Hearst Avenue, Suite 202 Berkeley, CA 94710 (510) 725-3000 Interim Co-Lead Consumer Class Counsel [Additional counsel listed on signature page]	SCOTT + SCOTT ATTORNEYS AT LAW LLP Kristen M. Anderson (Bar No. 246108) kanderson@scott-scott.com 230 Park Avenue, 17th Floor New York, NY 10169 (212) 223-6444 Interim Co-Lead Advertiser Class Counsel
12 13 14		DISTRICT COURT
15	SAN JOSE DIVISION	
16 17	MAXIMILIAN KLEIN, et al.,	Case No. 5:20-cv-08570-LHK (VKD)
18	Plaintiffs,	Hon. Virginia K. DiMarchi
19	VS.	DECLARATION OF BRIAN J. DUNNE IN
20 21	FACEBOOK, INC.,	SUPPORT OF PLAINTIFFS' OPENING BRIEF REGARDING FACEBOOK, INC.'S AUGUST 20, 2021 CLAWBACK NOTICE
22 23	Defendant. This Document Relates To: All Actions	
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I, Brian J. Dunne, declare and state as follows:

- 1. I am an attorney licensed in the State of California and admitted to the United States District Court for the Northern District of California. I am an attorney at Bathaee Dunne LLP, which is Interim Co-Lead Counsel for the Advertiser Plaintiffs in the above captioned action.
- 2. This declaration is made in support of Plaintiffs' Opening Brief Regarding Facebook, Inc.'s August 20, 2021 Clawback notice.
- 3. Attached hereto as Exhibit A is a true and correct copy of correspondence from counsel for Facebook dated August 20, 2021 concerning FB PALM CLAWBACK004.
- 4. Attached hereto as Exhibit B is a true and correct copy of Facebook's Supplemental Privilege Log dated August 20, 2021.
- 5. Attached hereto as Exhibit C is a true and correct copy of a document produced by Facebook in discovery in this matter, with a beginning Bates number of PALM-002033279.
- 6. Attached hereto as Exhibit D is a true and correct copy of a document produced by Facebook in discovery in this matter, with a beginning Bates number of PALM-002033773.
- 7. Attached hereto as Exhibit E is a true and correct copy of a document produced by Facebook in discovery in this matter, with a beginning Bates number of PALM-002033748.
- 8. Attached hereto as Exhibit F is a true and correct copy of a screenshot of The OutCast Agency's LinkedIn "About" page, taken November 7, 2021.
- 9. Attached hereto as Exhibit G is a true and correct copy of correspondence from counsel for Advertiser Plaintiffs dated September 10, 2021, responding to multiple correspondences from counsel for Facebook—which are dated August 20, 2021, August 17, 2021, July 13, 2021, and June 2, 2021.
- 10. Attached hereto as Exhibit H is a true and correct copy of correspondence from Facebook dated September 27, 2021, responding to Exhibit G.
- 11. Attached hereto as Exhibit I is a true and correct copy of the publicly-filed version of the parties' joint discovery brief (Dkt. No. 168).

1	12. Attached hereto as Exhibit J is a true and correct copy of an email from counsel for		
2	Facebook dated November 4, 2021, concerning proposed revisions to the "502(d) Order and		
3	Proposed Briefing Schedule".		
4	13. Attached hereto as Exhibit K is a true and correct copy of an online Tech Crunch		
5	article entitled "Zuckerberg owns or clones most of the '8 social apps' he cites as competition" dated		
6	April 11, 2018. (Last accessed on November 8, 2021.)		
7	14. Attached hereto as Exhibit L is a true and correct copy of a document produced by		
8	Facebook in discovery in this matter, with a beginning Bates number of PALM-002033644.		
9	15. Attached hereto as Exhibit M is a true and correct copy of an online press release		
10	dated June 12, 2018, titled "Bird Names Rebecca Hahn and Wendy Mantell to Key Communications		
11	and Legal Roles." (Last accessed on November 8, 2021.)		
12	16. Attached hereto as Exhibit N is a true and correct copy of correspondence from		
13	counsel for Facebook dated August 4, 2021, concerning Facebook's "July 13, 2021 clawback		
14	notice"		
15	17. Attached hereto as Exhibit O is a true and correct copy of an email dated October 1.		
16	2021, from counsel for Facebook concerning "Clawback Correspondence."		
17	I declare under penalty of perjury under the laws of the United States that the foregoing is		
18	true and correct.		
19	Executed on November 8, 2021 in Pasadena, California.		
20	/s/ Brian J. Dunne BRIAN J. DUNNE		
21	DRIAN J. DONNE		
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